

Panaji, 21st February, 1980 (Phalguna 2, 1901)

SERIES I No. 47

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1/6/74-PER

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Notification No. F.1/29/68-GP dated 29-6-68 and No. F.7 (11)/62-Goa dated 25-7-1963, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'A' and 'B' posts in the Design & Development centre of the Directorate of Industries & Mines, under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Government of Goa, Daman and Diu, Design and Development Centre of the Directorate of Industries and Mines Group 'A' and 'B' posts Recruitment Rules, 1980.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the

said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time;
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule;
- (c) *Saving:* Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

6. These rules are issued with the approval of the UPSC granted under their letter No.F.3/29(7)/78-RR dated 4th December, 1979.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 23rd January, 1980.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C. C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D.P.C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
1. Director (Design and Development Centre).	1	General Central Service Group 'A' Gazetted.	Rs. 1100-50-1600.	Selection	Not exceeding 40 years. (Relaxable for Govt. Servants).	No	<p>Essential:</p> <p>i) Degree or equivalent Diploma in Art of a recognised University/Institution or equivalent.</p> <p>ii) 5 years' experience in Senior supervisory capacity of creative design work in any media, preferably in handicrafts.</p> <p>Note 1: Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.</p> <p>Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>Knowledge of Konkani/Marathi.</p>	Age: No EQ: Yes	2 years	By promotion/transfer on deputation (including short-term contract) failing which by direct recruitment.	<p>Promotion/transfer on deputation (including short-term contract):</p> <p>1) Officers from the Central/State Govts./Public Undertakings/Recognised Art Institutions;</p> <p>(a) holding analogous posts;</p> <p align="center">OR</p> <p>With 5 years, service in posts in the scale of Rs. 700-1300 or equivalent.</p> <p align="center">OR</p> <p>With 8 years' service in posts in the scale of Rs. 650-1200 or equivalent, and</p> <p>(b) possessing educational qualifications and experience laid down for direct recruits under column 7.</p> <p>2) The departmental Field Officer with 8 years' regular service in the grade will also be considered and in case he is selected for appointment</p>	<p>Group 'A' D.P.C. for considering confirmation.</p> <p>i) Chief Secretary, Goa, Daman and Diu — Chairman.</p> <p>ii) Administrative Secretary — Member.</p> <p>iii) Director of Industries and Mines — Member.</p> <p>Note: The Proceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission, a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Selection on each occasion shall be made in consultation with the U.P.S.C. Consultation with the Commission also necessary while amending/relaxing any of the provisions of these rules.

2. Field Officer (Design and Development Centre).	1	General Central Service Group 'B' Gazetted.	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Selection	Not exceeding 30 years. (Relaxable for Govt. Servants). <i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).	No	<p><i>Essential:</i></p> <p>i) Degree or equivalent Diploma in Art of recognised University/Institution or equivalent.</p> <p>ii) 3 years' experience of creative design work in any media, preferably in handicrafts.</p> <p><i>Note 1:</i> Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.</p> <p><i>Note 2:</i> The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p><i>Desirable:</i></p> <p>Knowledge of Konkani/Marathi.</p>	Age: No 2 EQ: Yes years	By Promotion failing which by transfer on deputation and including short-term contract and failing both by direct recruitment.	<p><i>Promotion:</i></p> <p>Senior Designer with 3 years' regular service in the grade.</p> <p><i>Transfer on deputation (including short-term contract).</i></p> <p>Officers from the Central/State Govts./Public Undertakings/Recognised Art Institutions.</p> <p>(a) holding analogous post.</p> <p>OR</p> <p>with 3 years' service in posts in the scale of Rs. 550-900 or equivalent.</p> <p>OR</p> <p>with 8 years' of service in posts in the scale of Rs. 425-700 or equivalent and</p> <p>(b) possessing educational qualifications and experience laid down for direct recruits under column 7.</p> <p>(Period of deputation/contract shall ordinarily not exceed 3 years).</p>	<p>Group 'B' D. P. C.</p> <p>1. Chief Secretary, Goa, Daman and Diu — Chairman.</p> <p>2. Administrative Secretary — Member.</p> <p>3. Director (Designs and Development Centre) — Member.</p> <p><i>Note:</i> The proceedings of the D. P. C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission, a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	<p>Consultation with U.P.S.C. necessary while making direct recruitment, selecting an officer for appointment on deputation/contract and amending/relaxing any of the provisions of these rules.</p>
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to the post, the same shall be deemed to have been filled by promotion.

(Period of deputation/contract shall ordinarily not exceed 3 years).

1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
3. Senior Designer (Design and Development Centre).	1	General Central Service Group 'B' Gazetted.	Rs. 550-25-750-EB-30-900.	Selection	Not exceeding 30 years. (Relaxable for Govt. Servants). <i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).	No	<p>Essential:</p> <p>i) Degree or equivalent Diploma in Art of a recognised University/Institution or equivalent.</p> <p>ii) 2 years' experience of creative design work in any media, preferably in handicrafts.</p> <p><i>Note 1:</i> Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.</p> <p><i>Note 2:</i> The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p><i>Desirable:</i> Knowledge of Konkani/Marathi.</p>	Age: No EQ: Yes	2 years	By promotion failing which by transfer on deputation (including short-term contract) and failing both by direct recruitment.	<p>Promotion: Junior Designer with 8 years' regular service in the grade.</p> <p>Transfer on deputation: (Including short-term contract).</p> <p>Officers from the Central/State Govts./Public Undertakings/Recognised Art Institutions:</p> <p>a) holding analogous posts, OR with 5 years' of service in posts in the scale of Rs. 425-700 or equivalent, and</p> <p>b) possessing educational qualifications and experience laid down for direct recruits under column 7.</p> <p>(Period of deputation/contract shall ordinarily not exceed 3 years).</p>	<p>Group 'B' D. P. C.</p> <p>1. Chief Secretary, Goa, Daman and Diu — Chairman.</p> <p>2. Administrative Secretary — Member.</p> <p>3. Director (Designs and Development Centre) — Member.</p> <p><i>Note:</i> The Proceedings of the D. P. C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission, a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Consultation with U.P.S.C. necessary while making direct recruitment, selecting an officer for appointment on deputation/contract and amending/relaxing any of the provisions of these rules.
4. Chemist Grade I	1	General Central Service Group 'B' Gazetted.	Rs. 550-25-750-EB-30-900.	N. A.	Not exceeding 30 years. (Relaxable for Govt. Servants). <i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates	No	<p>Essential:</p> <p>i) Master Degree in Chemistry or Applied Chemistry of a recognised University or equivalent.</p> <p>ii) 2 years' experience in the analysis of rocks, ores, minerals and allied materials.</p> <p><i>Note 1:</i> Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates</p>	N. A.	2 years	By direct recruitment.	Not applicable.	<p>Group 'B' D. P. C. for considering confirmation</p> <p>1. Chief Secretary, Goa, Daman and Diu — Chairman.</p> <p>2. Administrative Secretary — Member.</p> <p>3. Head of Department — Member.</p>	Consultation with the U.P.S.C. necessary while making direct recruitment and amending/relaxing any of the provisions of these rules.

Note: The Proceeding of the D.P.C. relating to confirmation of a direct recruit shall be sent to the Commission for approval. If, however, these are not approved by the Commission, a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.

otherwise well qualified.

Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable:

- i) Knowledge of modern methods of instrumental analysis.
- ii) Knowledge of Konkani/Marathi.

in India (other than those in Andaman and Nicobar Islands and Lakshadweep).

Home Department (General)

Notification

T/1-10/79-HD(G)

Whereas certain draft rules, further to amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, were published as required by sub-section (1) of Section 133 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) at page 1 of the Official Gazette Series I No. 31 dated 2nd November, 1979 under the Notification No. T/1-10/79-HD(G) dated 17-10-1979 of the Home Department (General) Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 2nd November, 1979;

And whereas no objections and suggestions have been received from the public on the said draft by the Government;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (2) of Section 41 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965 (last amended by Notification No. T/11-18/79-HD(G) (iii) dated 20-8-1979 published in the Official Gazette No. 20, Series I, dated 20-8-1979), namely:—

1. **Short title and commencement.**— (1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Forty-seventh Amendment) Rules, 1979.

(2) They shall come into force at once.

2. **Amendment of First Schedule.**— For the existing First Schedule of the Goa, Daman and Diu Motor Vehicles Rules, 1965, the following shall be substituted, namely:—

"THE FIRST SCHEDULE

Registration marks to be assigned by the Registering Authorities for Goa, Daman and Diu.

Registration marks to be assigned to the various classes of vehicles shall be as under:—

GDA Vehicles other than transport vehicles.

GDB

GDL

GDC

GDE

GDF

GDG

GDH

GDI

GDT

GDS

GDY

GDZ

GDU

GDV

GDX

Transport vehicles.

GDM Vehicles in the possession of dealers or manufacturers having trade certificates.

GDR Vehicles registered temporarily."

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 11th February, 1980.

Works, Education and Tourism Department

Notification

14/3/79-WET

In exercise of the powers conferred by Section 46 of the Goa, Daman & Diu Secondary & Higher Secondary Education Board Act, 1975 (Act 13 of 1975), the Administrator of Goa, Daman and Diu hereby makes the following rules, namely:—

1. *Short Title and Commencement.*—(1) These rules may be called the Goa, Daman, Diu Secondary and Higher Secondary Education Board Members Election Procedure Rules, 1979.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless context otherwise requires,—

(1) "Act" means the Goa, Daman, Diu Board of Secondary and Higher Secondary Board Act, 1975 (Act No. 13 of 1975);

(2) "Board" means the Goa, Daman, Diu Board of Secondary and Higher Secondary Education, established under the Act;

(3) "Chairman" means the Chairman of the Board;

(4) "Election" means an election to elect a member of Class B—Elected Members referred to in Section 12 (1) of the Act under clauses (iii), (iv), (v), (vi) and (vii) of that class.

(5) "form" means a form appended to these Rules;

(6) "Polling Officer" means a person appointed as such for the polling stations concerned, by the Returning Officer, under these Rules;

(7) "Presiding Officer" means a person appointed as such for the polling station concerned, by the Returning Officer under these Rules;

(8) "Returning Officer" means the Vice Chairman of the Board or his nominee;

(9) "Secretary" means the Secretary of the Board;

(10) "Voter" means a person entitled to vote at an election.

3. *Preparation, maintenance and custody of List of Voters.*—(1) The Returning Officer shall cause separate lists of voters in respect of election of each member of Class B—(i) Elected members,

other than the members, falling in clauses (i) and (ii) of Class B of sub-section (1) of Section 12 of the Act.

(ii) In case of list of voters in respect of elected members under clause (vii), the name of the Chairman/President of the body by whatever name called, managing the Society/Trust shall be listed as voter.

(2) The Chairman of the Board shall authenticate each list of voters prepared under sub-rule (1) and shall sign every page thereof and seal it.

(3) The Chairman of the Board shall from time to time carry out in the authenticated copy of each list of voters all corrections which may become necessary and shall initial below each correction so made.

(4) The lists of voters maintained as aforesaid shall be kept under lock and key, by the Chairman and he shall be responsible for the safe custody, thereof.

4. *Publication of List of Voters.*—The Chairman shall, at least one month before the date fixed for the nomination of candidates, give a public notice of the places where copies of the relevant lists of voters are kept open for inspection.

5. *Appointment of election staff.*—The Returning Officers shall appoint such number of Presiding and Polling Officers to assist him in the performance of his functions as he may think fit as also other staff required for the election work after obtaining previous approval of Chairman.

6. *Supply of materials for election.*—The Returning Officer shall supply to each Polling Officer all the election material alongwith necessary forms and stationery required for the election.

7. *The Returning Officer to appoint dates etc. for various stages of election.*—(1) The Returning Officer shall, by Notification published in the Official Gazette and at least two newspapers having wide circulation in the concerned area, notify the date of election.

(2) As soon as the Notification under sub-rule (1) is published, the Returning Officer shall also by a Notification appoint the date, the hours, and place or places for the following stages:—

- (a) The nomination of candidates.
- (b) The scrutiny of nominations.
- (c) The withdrawal of candidature.
- (d) The record of votes.
- (e) Counting of votes.

Provided that:

(i) Between the date of the Notification under sub-rule (1) and the date fixed for the nomination of candidates, there shall be an interval of at least four weeks.

(ii) Between the date fixed for the nomination of candidates and the date for the recording of votes, there shall be an interval of at least four weeks.

(iii) The date for the scrutiny of nominations shall be the date immediately following the date fixed for presenting nomination papers.

(3) Not less than 15 days before such date fixed for the nomination of candidates, the Returning Officer shall give the public notice in writing of intended election inviting nominations of candidates for the election and specify the place where the nomination papers are to be delivered.

8. *Nominations of candidates.* — (1) On the day and during the hours appointed for nomination of candidates under rule 7 each person desirous of standing as a candidate for election shall fill a nomination paper in Form A, sign it and present it either in person or through a representative authorised in writing in this behalf by him to the Returning Officer.

(2) On receiving a nomination paper under sub-rule (1) the Returning Officer shall enter therein his serial number and shall introduce thereon a certificate stating the date on which and the exact time at which the nomination paper was delivered to him.

9. *Scrutiny of nomination.* — (1) At the time and place appointed for the scrutiny of nomination, intending candidates or any other person duly authorised in writing by each such candidate shall alone be entitled to be present. The Returning Officer shall allow such person reasonable facility for examining the nomination papers of intending candidates.

(2) The Returning Officer shall then examine the nomination papers and shall decide all objections raised before him against any nomination and may, either on such objection or on his own motion and after such summary inquiry, if any, as he considers necessary, reject a nomination paper on any of the following grounds, namely: —

(i) that on the date fixed for scrutiny of nomination the candidate is disqualified under the Act; or

(ii) that the name of the candidate does not appear in the List of Voters; or

(iii) that the candidate has failed to comply with any of the provision required by these rules or regulations.

(3) For the purpose of sub-rule (1) an entry made in the list of Voters shall be a conclusive evidence of the right of any voter named in that entry to stand for election.

10. *Completion of scrutiny of nomination.* — (1) The scrutiny shall be completed on the date appointed in this behalf.

(2) The Returning Officer, shall, on the same day, endorse, on each nomination paper his decision accepting or rejecting the same, and, if the nomination is rejected, shall record in writing a brief statement of his reasons for such rejection and shall furnish a copy of such statement to the candidate whose nomination is rejected, within 24 hours of the receipt of an application made in that behalf.

(3) Any candidate whose paper has been rejected may prefer an appeal to the Chairman of the Board against the Order of the Returning Officer within two days of the date of receipt of the statement under sub-rule (2) and send a copy of appeal to the Returning Officer. The Chairman of the Board shall, within three days of the presentation of the appeal, give his decision thereon and immediately communi-

cate the decision to the Returning Officer. The decision of the Chairman of the Board shall be final.

11. *Withdrawal of candidature.* — (1) Any candidate may withdraw his candidature by a notice in writing subscribed by him and delivered to the Returning Officer between the hours of eleven o'clock in the forenoon, and three o'clock in the afternoon of any day not later than three days of the completion of the scrutiny of nomination under rule 10. Such notice may be delivered either by the candidate in person or by person authorised in writing by him in that behalf. Any notice of withdrawal which is given after expiry of the said period shall have no effect.

(2) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice.

12. *Preparation of list of contesting candidate and notice of election.* — On the expiry of the period allowed under rule 11 for the withdrawal of candidature, the Returning Officer shall prepare under his signature a list of all contesting candidates and cause it to be posted up at such place or places as he may determine, at least seven days before the date appointed for recording of votes.

13. *Death of candidate before poll.* — If a contesting candidate dies and the report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Chairman and all proceedings with reference to the election shall be commenced anew in all respects as if it were a new election.

Provided that no further nomination shall be necessary in the case of a person, who was a contesting candidate at the time of countermanding of the poll.

Provided further that person who has given a notice of withdrawal of his candidature under rule 11 before countermanding of the poll shall be eligible for being nominated as a candidate for the election after such countermanding.

14. *Uncontested Election.* — (1) Where the number of contesting candidates is equal to or less than the number of seats to be filled, the Returning Officer shall forthwith declare all such candidates to be duly elected without any vote being taken.

(2) If the number of contesting candidates exceeds the number of seats to be filled in, votes shall be taken for filling the vacancies in the manner provided by these rules.

(3) When there are no contesting candidates for a particular seat to be filled in, a fresh election shall be held for filling up the vacancy in the manner as provided by these rules.

15. *Form of Ballot paper.* — (1) The Ballot paper shall be in Form B and shall contain the names of all candidates in alphabetical order beginning with the surname.

(2) If two or more candidates bear the same name and surname, they shall be distinguished by addition of their Father's/husband's name and occupation/residence.

16. *Election material and ballot boxes.* — (1) On the day immediately preceding the day fixed for the poll, each Presiding Officer shall be supplied with a ballot box with an aperture for the receipt of ballot paper, a copy of the section of voters' list pertaining to his polling station, ballot papers serially numbered in foil and counterfoils at the rate of one ballot paper for each voter in the list of voters and such other materials as may be necessary for the purpose of polling.

(2) Before the commencement of the poll, the Presiding Officer shall show empty ballot box to such candidates or their agents as may be present at the polling station and shall then lock it and seal it in such a manner as to prevent it from being opened without breaking the seal.

17. *Admission to Polling Booth.* — On the day of poll, every Presiding Officer shall admit to the polling booth at which he presides, besides the candidates and their agents, only voters and such persons, if any, as may be admissible under the direction given by the Returning Officer in this behalf.

18. *Voters to attend polling station.* — A voter desirous to record his vote shall attend for the purpose at the polling station on such date and between such hours as have been appointed by the Returning Officer in this behalf.

19. *Recording of Votes.* — Votes shall be recorded in accordance with the following provisions, namely: —

(1) there shall be no voting by proxy;

(2) before a ballot paper is delivered to an intending voter, his name and his number in the list of voters shall be called out so that all present can hear them;

(3) In cases where —

(a) no objection has been raised after taking the voter's signature or mark on the counterfoil endorsing the paper across the junction of foil and counterfoil with a seal and initialling the counterfoil, the polling officer shall give the foil to the voter and admit him to the polling room;

(b) objections are raised by candidates and/or their agents, the Presiding Officer shall dispose of such objections and when satisfied that the intending voter is entitled to vote and has not yet voted, shall direct the polling officer to give the foil of the ballot paper to him after taking his signature or mark on the counterfoil, endorsing the paper across the junction of foil and counterfoil and initialling the counterfoil. The voter shall then be admitted to the polling room. The Presiding Officer shall initial the foil of the ballot paper of the voter in respect of whom objection has been raised.

(4) the voter shall, for each vote he gives, mark a cross (x) in the column under the heading 'cross' of the ballot paper against the name of the candidate to whom he intends to give a vote, he shall then fold up the marked paper so as to conceal the marking and shall put the paper so folded into the ballot box provided for the purpose, and without undue delay leave the polling room;

(5) no ballot paper shall be issued to any voter after the hour fixed for the closing of the poll,

except to those voters who are present at the polling station at the time of the closing of the poll. These voters shall be allowed to record their votes even after the poll closes.

20. *Duties of the Polling Officers.* — It shall be the duty of the officers and their assistants to see that votes are recorded with absolute secrecy, that only such persons as may be admitted to the polling station under these rules are admitted thereto and that persons who have recorded their votes or against whose objections have been heard and upheld, leave the polling station immediately. It shall also be their duty to see that these rules and any special directions given by the Returning Officer, thereunder are strictly observed in all respects.

21. *Returning Officer to supervise conduct of election.* — The election shall be conducted under the general supervision of the Returning Officer. The Presiding Officer of any polling station may refer a doubtful point to the Returning Officer, if present, at the polling station.

22. *Tendered Ballot Papers.* — Where a person representing himself to be a particular voter entered in the list of voters applies for a ballot paper after another person has voted as such voter, the applicant shall, after duly answering such questions as the Presiding Officer may ask, be entitled to receive a ballot paper. The voter shall then record his vote in a manner provided by rule 19 and hand over the ballot paper to the Presiding Officer who shall write thereon the name of the voter and his number in the list of voters and shall enclose the ballot paper in a separate packet and seal it. Such ballot papers shall not be counted by the Returning Officer and shall be termed "Tendered ballot papers". A list shall be maintained of the ballot papers so tendered.

23. *Spoilt ballot papers.* — A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as ballot paper may, on delivering it to the Presiding Officer and satisfying him of the inadvertence, be given another ballot paper in place of the spoilt paper and the latter shall, together with his counterfoil, be marked as "cancelled" by the Presiding Officer.

24. *Sealing of ballot boxes etc.* — (1) A Presiding Officer shall, as soon as practicable after the close of the poll, in the presence of any candidate or representative of a candidate, if present, seal the aperture of ballot boxes and seal with his own seal and the seal of any candidate or agents who may desire to affix his seal, on each ballot box in use at the polling station.

(2) The Presiding Officer shall then make up into separate packets: —

- (i) The books of unused ballot papers;
- (ii) The tendered ballot papers;
- (iii) spoilt ballot papers;
- (iv) the marked copies of the voters' list;
- (v) the books of counterfoil of the used ballot papers, and
- (vi) the tendered voters' list.

He shall seal with his own seal and seal of any candidate or a representative of such candidate who

may desire to affix his seal, all the packets prepared under this rule.

(3) The ballot box and the packets shall be forwarded by the Presiding Officer to the Returning Officer or any other person appointed by the Returning Officer to take charge of them till the votes are counted and till the books of counterfoils and used foils are destroyed under rule 33. He shall also forward with them a statement showing the number of ballot papers entrusted to him and accounting for them under the following heads: —

- (i) ballot papers used;
- (ii) ballot papers spoilt;
- (iii) ballot papers unused;
- (iv) ballot papers tendered.

25. *Counting of votes.* — (1) The counting of votes shall be done by and under the supervision of the Returning Officer with the assistance of such persons as he may appoint to assist in the counting of votes.

(2) On the day and at the time and place appointed for the counting of votes, the Returning Officer shall with respect to ballot boxes used at the poll proceed as follows: —

(i) All the ballot boxes placed for counting of votes shall be counted and checked and the Returning Officer shall satisfy himself that all such boxes as contain the ballot papers which are to be counted at such places have been received and accounted for.

(ii) The Returning Officer shall then allow the candidates and their election agents and counting agents present at the counting an opportunity to inspect the ballot boxes and their seals for satisfying themselves that they are in order.

(iii) If the Returning Officer is satisfied that all such ballot boxes as contain the ballot papers which are to be counted at such place, have been received and are in order, he shall take up the counting of ballot papers contained in the ballot boxes.

(iv) After each ballot box is opened for counting, clearly valid ballot papers shall be separated from invalid and doubtful ballot papers. The invalid and doubtful ballot papers shall be submitted to the Returning Officer for his decision. The valid ballot papers shall, thereafter, be taken up for counting, and the votes recorded in favour of each candidate shall be counted with the aid of persons appointed to assist in the counting of votes.

(v) The Returning Officer shall allow the candidates and their election and counting agents who may be present, reasonable opportunity to inspect all ballot papers which in the opinion of the Returning Officer are liable to be rejected but shall not allow them to handle those, or any other ballot papers.

(vi) After the counting of all ballot papers contained in all the ballot boxes has been completed, the Returning Officer shall cause to be sealed up in separate packets with a description endorsed on each such packet of the ballot papers counted and the ballot papers rejected.

The Returning Officer shall, as far as practicable, proceed, continuously with the counting of the votes

and shall during any intervals when the counting has to be suspended, keep the ballot papers, packets, and other documents relating to the election sealed with his own seal and the seal of such candidates or their counting agents as may desire to affix their seals, and shall cause adequate precautions to be taken for their safe custody.

(4) After the counting of ballot papers contained in all the ballot boxes used at all the polling stations has been completed, the Returning Officer shall prepare a consolidated statement recording therein the total number of votes polled by each candidate.

26. *Grounds for rejection of ballot papers.* — (1) The Returning Officer shall reject as void any ballot papers: —

(a) if it bears any mark or writing by which the voter can be identified;

(b) if no vote is recorded thereon;

(c) if the voter has recorded more votes than he is entitled to;

(d) if the mark indicating the vote thereon is placed in such a manner as to make it doubtful to which candidate the vote has been given;

(e) if it is a spurious ballot paper;

(f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established.

(g) if it bears a design different from the design of the ballot paper authorised for use at the poll;

Provided that where the Returning Officer is satisfied that any such defect as is mentioned in clause (g) has been caused by any mistake or failure on his part or the persons working under him at the poll, the ballot paper shall not be rejected merely on the ground of such defect.

Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(2) The Returning Officer shall record on every ballot paper which he rejects the letter "R" either in his own hand or by means of a rubber stamp, and the grounds of rejection in abbreviated form.

(3) All ballot papers rejected under this rule shall be bundled together.

(4) The decision of the Returning Officer as to the validity of a ballot paper contained in a ballot box shall be final.

27. *Recounts of votes.* — (1) After the completion of counting, a candidate or in his absence his election agent may apply in writing to the Returning Officer for a recount of all or any of the ballot papers already counted stating the grounds on which he demands such recount;

(2) On such an application being made, the Returning Officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable;

(3) Every decision of the Returning Officer under sub-rule (2) shall be in writing and contain the reasons therefor.

(4) If the Returning Officer decides under sub-rule (2) to allow an application whether in whole or in part he shall —

(a) count the ballot papers again in accordance with his decision;

(b) demand the statement showing the number of votes recorded in accordance with the provisions of sub-rule (4) of rule 25 to the extent necessary after such recount; and

(c) announce the amendments so made by him and the result of the election.

28. The Returning Officer to declare results. —

(1) on completion of the statement showing the number of votes recorded, the Returning Officer shall declare from amongst the candidates, the candidate who has secured the largest number of votes be elected.

(2) Where an equality of votes is found to exist between any candidate and the addition of one vote would entitle any of the candidate to be declared elected, determination of the persons as to whom such an additional vote shall be deemed to have been given shall be made by lots to be drawn in the presence of the Returning Officer and the candidates or their agents who may desire to be present and in such manner as the Returning Officer may determine.

29. Publication of result of election. — The names of persons who have been elected shall be published by the Board in the Official Gazette along with the name of person nominated.

Provided that the Returning Officer shall, before the publication of the names of the elected candidates, be competent to correct any mistakes if any in the names of such candidates.

30. The record of proceedings. — The Returning Officer shall keep a record of the proceedings of every election.

31. Custody of ballot papers. — After the counting of votes is completed, the ballot papers and all other papers relating to the election shall forthwith be sealed and kept by the Returning Officer in his custody. The ballot boxes shall be kept in such custody as he may direct.

32. Production and inspection of election papers. — While in the custody of the Returning Officer the packets of ballot papers whether counted, or rejected and/or the counterfoils thereof shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court.

33. Destruction of ballot papers. — On the expiry of six months from the date of the publication of the result of the election or where the validity of an election has been challenged in competent court on expiry of three months from the date of the decision of the competent court, the Returning Officer shall, with the previous sanction of the Board destroy the ballot papers including both those in the

ballot boxes and those in the sealed packets, and other documents relating to the election.

34. Casual Vacancies. — The provisions of those rules shall mutatis mutandis apply to a bye-election provided that —

(i) no publication of lists of voters as provided in the case of a general election under rule 4 shall be necessary in the case of bye-election.

(ii) the period prescribed in rules 7, 10, 11 and 12 may be reduced to such extent as may be determined by the Returning Officer to complete the bye-election as early as possible.

FORM A

(See rule 8)

Nomination Paper

Election to the Goa, Daman and Diu Board of Secondary and Higher Secondary Education, Panaji

(To be filled by the proposer)

I hereby nominate ... as a candidate for class B category ... under clause ... designated area ...

1. Full name of proposer ...
2. Name of proposer in the voter's list ...
3. Name of the candidate's father/husband ...
4. Full postal address of the candidate ...
5. Number of candidate in the voter's list ...

Date ...

Signature of proposer

(To be filled by the candidate)

I, the abovementioned candidate, assent to nomination and hereby declare that I have completed ... years of age.

Date ...

Signature of Candidate

(To be filled by the Returning Officer)

Serial No. of the nomination paper ...

This Nomination was delivered to me at my office at ... (hours) on ... (date) by the ... candidate/proposer.

Date ...

Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper.

I have examined this paper in accordance with ... and decided as follows: —

Date ...

Returning Officer

Receipt for Nomination Paper and Notice of Scrutiny
(To be handed over to the person presenting the nomination paper)

Serial No. of nomination paper ...

The nomination paper of ... a candidate ... was delivered to me at my office at ... (hour) on ... (date) by ...

Date ...

Returning Officer

Section 12

Elected Members

Class — (B) of the Goa, Daman & Diu Secondary & Higher Secondary Education Board Act 1975.

(iii) One head master of a higher secondary school elected by the head masters of such schools in the territory recognised by the Board, from amongst themselves;

(iv) One teacher of a higher secondary school elected by the teachers of such schools in the territory recognised by the Board, from amongst themselves;

(v) Six head masters of secondary schools other than higher secondary schools, one each from each designated area, elected by the head masters of such schools in the designated area from amongst themselves;

(vi) Six teachers of secondary schools other than higher secondary schools, one each from each designated area, elected by the teachers of such schools in the designated area from amongst themselves; and

(vii) Two representatives of the management of secondary schools elected by the managements of secondary schools in this territory, recognised by the Board, from amongst themselves.

FORM B

(See Rule 15)

Ballot Paper

Election to the Goa, Daman and Diu Secondary & Higher Secondary Education Board

Serial No.	Name of candidate	(x) cross
1		
2		
3		
4		
etc.		

By order and in the name of the Administrator
of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary, Works, Education and Tourism.

Panaji, 2nd February, 1980.